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Standards for Selected Adoption Homes

8-30-2004

Adoptive families are selected for children who cannot remain at home or return home because their birth families are unable to provide care for them and adoption by current caregivers has been ruled out. Adoption can provide a means for the children to achieve permanency and receive the benefits of a family environment so that their physical, emotional, and social development can proceed with as little disruption as possible.

CP&P is responsible for ensuring that each child who needs an adoptive home is placed in a safe and secure home with parents who can best meet his individual needs. CP&P approves adoptive parents only after careful study, evaluation, and the application of basic standards to assess:

- the quality of a home environment, and
- the ability of the applicant to provide care for a child.

It is recognized that there are many different methods of child rearing, and that there are unique factors involved in adoptive parenting. These standards are related to the ability of prospective adoptive parent(s) to care for an adopted child. All persons applying to be adoptive parents through CP&P are evaluated by these standards.

The overall assessment of the adoptive parent applicant requires consideration of all information obtained throughout the study process about the applicant and other household members. The primary sources of this information are the Adoption Home Study, home visits, medical and mental health reports, references (personal, employment, school/day care) and criminal history checks.

The Checklist of Standards for Selected Adoption Homes, CP&P Form 14-201, is used to record the status of each standard for the prospective applicant, and other household members, as appropriate.

Age and Health

An adoptive parent must be mature, have sufficient life experience to provide proper care for a child, and be free from any health problems that would restrict one's ability to provide such care until the adoptive child reaches the age of majority.

Age - The best interests of the child being adopted require that careful consideration be given to the difference in age between the child and the prospective adoptive parents.

The law requires that all prospective adoptive parents:

- be at least 18 years of age; and
- be at least ten years older than any child placed in their home.

An equally important consideration is the age span between an adoptive parent and adoptive child. The age span should be such that it is reasonable to expect that the adoptive parent will be able to parent appropriately and meet the child's needs until the child reaches his eighteenth birthday.

Health - An adoptive parent and members of the immediate household are expected to have and continue to have a state of physical and mental health which will enable them to cope with the additional experiences and stresses of parenting or sharing a home with an adopted child.

- Physical Health - Prospective adoptive parents must be in reasonably good health with a life expectancy which makes it likely that an adopted child can be cared for by them until he reaches his eighteenth birthday. Specific illnesses must be identified and evaluated in terms of their impact on parenting ability. Each person residing in the home must be free of serious infectious or communicable diseases. Medical reports, completed at the time of the home study/approval process, are required to document the current state of health of the prospective adoptive parents and other household members.
- Physical Disabilities - An applicant with a physical disability may be approved as an adoptive parent if the disability does not interfere with the ability to give adequate care to a child. The determining factors in evaluating the applicant are the capability of coping and of making accommodations or compensation for the physical disability so that the applicant is able to parent a child appropriately.
- Mental Health - An adoptive parent is expected to be mentally and emotionally capable of parenting an adopted child. Other members of the

household are expected to be mentally and emotionally capable of relating to and meeting the needs of a child placed in the home.

Applicants or other household members who have been treated in the preceding five years for mental or emotional problems or substance use disorder require a positive recommendation from the appropriate psychologist, psychiatrist, addiction counselor or out-patient counselor/therapist.

If there is concern about the ability of any member of the household to meet the needs of the child or cope with the additional experiences or stresses of sharing a home with an adopted child, an independent evaluation by a therapist may be obtained with the written consent of the individual involved. CP&P will arrange and pay for this evaluation.

Failure to disclose any previous mental health or emotional problems or substance use disorder may be grounds for rejection of an applicant.

Financial Management

An adoptive parent applicant must be able to demonstrate adequate money management skills and an ability to use effectively his available financial and other resources to meet the needs of the family as well as the needs of an adopted child. An applicant's income must be sufficient to provide the necessities of life for the family.

Subsidized adoption payments may not be considered as income by the adoptive parent and, therefore, are not included in determining the adequacy of the family's income to meet its own needs.

Accessibility of the Adoptive Home

The adoptive home must be accessible to staff of the Local Office. If the home has no telephone, there must be a telephone number of a person (neighbor or relative) willing and able to contact the adoptive parent in an emergency and a phone available to the adoptive parent for use in an emergency. The applicant should be encouraged to obtain a telephone.

Family Composition

The following standards relate to the status of the relationships within the household, the number of persons living in the home and their citizenship.

- Marital/Civil Union Status - An adoptive applicant may be married/civil union partnership or single, except that a married person/civil union partner may adopt a child:

- jointly with his spouse/civil union partner in the same action, or
- only with the written consent of his spouse/civil union partner, or
- if living separate and apart from his spouse/civil union partner.

In the case of an unmarried couple cohabiting, both or either person can be named in the consent based on the case plan for the child. However, it is the expectation that both partners will adopt and only in exceptional circumstances will approval be given by the LO Manager for one partner to adopt.

The relationships of applicants with others in the household, especially one's spouse/civil union partner, must present a positive role model for a child. Couples must demonstrate a stable, communicative, satisfying, and caring relationship.

- Number of Children in an Adoption Home - The adoptive family shall be able to provide sufficient time and attention to each child placed for adoption in their home without causing other family members' needs to go unmet, causing the quality of care to be substantially diminished, or overburdening the adoptive parent(s). The Division's determination of the number of children who may be placed for adoption in the adoption home shall be based upon the following criteria, subject to the population limitations below:
 - The adoption home is large enough to accommodate the number of children placed for adoption and meets the adoption home standards concerning sleeping space;
 - The adoptive family has met and continues to meet the needs of each child placed for adoption in the home; and
 - The adoptive family has the ability to meet the needs of each additional child needing placement for adoption in the adoptive family's home.
- Population Limitations - Children shall **not** be placed for adoption in an adoption home if that placement shall result in:
 - More than a total of eight children in that adoptive family, including the adoptive family's natural, adopted, and foster children and other children living in the home;
 - More than four children under six years of age living in the home;
 - More than two children under two years of age living in the home;
 - or
 - More than two children over two years of age who are non-ambulatory living in the home.

- Exceptions to Population Limitations - The Area Director, Adoption Operations may authorize a placement which exceeds the population limitations stated above when compelling or exceptional circumstances exist that warrant exception. Such circumstances include, but are not limited, to:
 - Placement in excess of the population limitations is necessary to keep a sibling group together;
 - Placement in excess of the population limitations is necessary because the particular adoptive family is uniquely qualified to meet the specific needs of a particular child; or
 - An additional approved primary adult caregiver resides in the adoption home. The additional caregiver shall have completed the required training and met all other standards for selected adoption homes.
 - Exceptions are authorized for the placement of specific children only. An adoption home shall not be authorized to routinely accept numbers of children that exceed the population limitations above.
- In order to determine whether an exception to the population limitations shall be authorized for a child to be placed for adoption into a CP&P adoption home, the Area Director, Adoption Operations shall review:
 - The results of a New Jersey Child Safety Assessment in (Resource Homes), CP&P Form [22-6](#), completed within the past three work days by the Local Office staff. An exception shall not be authorized if any safety concerns have been identified; and
 - The results of an assessment by LO staff of the adoptive family's ability to meet the physical and emotional needs of the increased number of children placed for adoption beyond the population limitations, including the adoptive family's ability to meet the standards concerning sleeping space and all other Division standards for adoption home approval. If the home is being considered for placement of an additional sibling to a child already in the home, the assessment states the benefits of placing the new sibling in the home and provides explicit detail about the supports needed to facilitate the placement.
- If available, written recommendations from other professionals and service providers who have worked directly with the adoptive family to meet the needs of the children already placed in the home, such as teachers, therapists, day care providers and medical professionals, should be considered in the assessment.
- In order to determine whether an exception to the population limitations shall be authorized for a child to be placed for adoption into a non-CP&P

adoption home (in-state private agency adoption home or out-of-state adoption home), the Area Director, Adoption Operations shall review the results of an assessment by the supervising, licensed adoption agency of the adoptive family's ability to ensure the safety of and meet the physical and emotional needs of the increased number of children placed for adoption beyond the population limitations, including the adoptive family's ability to meet the standards concerning sleeping space and all other standards for adoption home approval. The New Jersey Child Safety Assessment (Resource Homes), CP&P Form [22-6](#), may be made available to the supervising, licensed adoption agency to facilitate safety assessment. If available, written recommendations from other professionals and service providers who have worked directly with the adoptive family to meet the needs of children already placed in the home, such as teachers, therapists, day care providers and medical professionals, should be considered, as well.

Citizenship and Communication - Adoptive parents need not be citizens of the United States. If foreign born, however, they must have entered the United States legally. Citizens of a foreign country must indicate the basis on which they are living in this country. The length of stay, as evidenced by a visa or a Permanent Resident Card (green card), should be considered in relation to the length of time necessary for the adoption home study process and the child's finalized adoption.

Adoptive applicants must be able to communicate with CP&P personnel and others responsible for the child's education or well-being.

Quality of Family Life

All children placed for adoption should experience as healthy, happy, and nurturing a parent/child relationship as possible. As such, an adoptive applicant and other household members must not evidence personal conduct that may present a potential danger to the child. The following standards relate to the quality of that experience from the perspective of the best interest of the child.

- Criminal History - A criminal history check is required by law for each adoptive applicant and all other adults living in the home. See [CP&P-IV-C-10-200](#) for criminal history check procedures. N.J.S.A. 30:4C-26.8 requires that a person be disqualified from approval as an adoptive parent if that person or any adult residing in the household ever committed a crime, or an offense that is substantially equivalent to the offenses listed below, which resulted in a conviction for:
 1. A crime against a child, including endangering the welfare of a child and child pornography pursuant to N.J.S.A. 2C:24-4; or child abuse, neglect, or abandonment pursuant to R.S.9:6-3;
 2. Murder pursuant to N.J.S.A. 2C:11-3 or manslaughter pursuant to N.J.S.A. 2C:11-4;

3. Aggravated assault which would constitute a crime of the second or third degree pursuant to subsection b. of N.J.S.A. 2C:12-1;
4. Stalking pursuant to P.L.1992, c.209 (C.2C:12-10);
5. Kidnapping and related offenses including criminal restraint; false imprisonment; interference with custody; criminal coercion; or enticing a child into a motor vehicle, structure, or isolated area pursuant to N.J.S.A. 2C:13-1 through 2C:13-6;
6. Sexual assault, criminal sexual contact, or lewdness pursuant to N.J.S.A. 2C:14-2 through 2C:14-4;
7. Robbery which would constitute a crime of the first degree pursuant to N.J.S.A. 2C:15-1;
8. Burglary which would constitute a crime of the second degree pursuant to N.J.S.A. 2C:18-2;
9. Domestic violence pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.);
10. Endangering the welfare of an incompetent person pursuant to N.J.S.A. 2C:24-7 or endangering the welfare of an elderly or disabled person pursuant to N.J.S.A. 2C:24-8;
11. Terroristic threats pursuant to N.J.S.A. 2C:12-3;
12. Arson pursuant to N.J.S.A. 2C:17-1, or causing or risking widespread injury or damage which would constitute a crime of the second degree pursuant to N.J.S.A. 2C:17-2: or
13. An attempt or conspiracy to commit an offense listed as 1 through 12 above.

N.J.S.A. 30:4C-26.8 requires that a person shall be disqualified from approval as an adoptive parent if that person or any adult residing in the household was convicted of one of the following crimes, or an offense substantially equivalent to these offenses, and the date of release from confinement (date of termination of court-ordered supervision through probation, parole, or residence in a correctional facility, whichever date occurs last) occurred during the preceding five years:

1. Simple assault pursuant to subsection a. of N.J.S.A. 2C:12-1;
2. Aggravated assault which would constitute a crime of the fourth degree pursuant to subsection b. of N.J.S.A. 2C:12-1;
3. A drug-related crime pursuant to P.L.1987, c.106 (C.2C:35-1 et seq.);

4. Robbery which would constitute a crime of the second degree pursuant to N.J.S.A. 2C:15-1;
5. Burglary which would constitute a crime of the third degree pursuant to N.J.S.A. 2C:18-2; or
6. An attempt or conspiracy to commit an offense listed in paragraphs 1 through 5 above.

An applicant need not be rejected automatically if he or an adult member of the household has a criminal record other than that described above. All information must be evaluated in relation to the ability of the applicant to care for, protect, and influence a child.

The standards for approving an applicant when the applicant or a household member has a criminal conviction other than that described above are as follows:

- the offense committed is not one that automatically disqualifies under N.J.S.A. 30:4C-26.8 or is not listed at all in N.J.S.A. 30:4C-26.8. See above; or
- the offense is one that requires a five-year interim between the date of release from confinement, parole or probation and the application to adopt under N.J.S.A. 30:4C-26.8, and that time period has passed; and
- after a careful review of the circumstances of the offense committed, including
 - verification of all identifying information,
 - the offender's age at the time of the crime,
 - whether the crime was an isolated incident or repeated incidents of criminal activity,
 - an examination of the nature and/or seriousness of the crime, and
 - written documentation and any other evidence of the offender's rehabilitation, the Worker and Supervisor determine that the offender poses no risk to children or other family members; and
- the CP&P Director gives written approval.

A juvenile record check is required for any juvenile residing in the home where there is an indication that the juvenile has a delinquency record of crimes of a violent or sexual nature. A Court Order is required to obtain this information.

- Child Abuse/Neglect History - A search in NJ SPIRIT (NJS) is required for each applicant and any other adult living in the home. An applicant or adult household member who has:
 - caused the death of a child through abuse or neglect,
 - caused serious injury or harm to a child through abuse or neglect, or
 - sexually abused a child
 cannot be approved as an adoptive parent.

The suitability of the adoptive applicant is assessed whenever there is a finding of abuse or neglect by the adoptive applicant or an adult member of the household. There are some child abuse and/or neglect situations which may warrant further consideration, when there are mitigating circumstances regarding the care of the children. For such situations, the applicant may be considered for approval upon the recommendation of the LO Manager and the approval of the CP&P Director. Situations which may warrant further consideration include:

- a situation where the perpetrator of the abuse or the neglect has left the home and the other family members have taken adequate precautions to safeguard against further incidents of abuse or neglect, or
- the abuse or neglect has occurred in the past and the field office is convinced that circumstances, time, or therapeutic intervention has ameliorated the problems precipitating the incident, or
- an isolated incident of abuse or neglect that was "situational" and not reflective of the family's normal child care practices, such as a parent leaving one child unattended in order to attend to an emergency with another child, or
- a minor incident that was miscoded or one wherein the limited choice of coding possibilities inaccurately reflected the severity of the incident or the mitigating factors surrounding the incident.

The recommendation for approval is submitted via the Special Approval Request, CP&P Form [16-76](#), to the CP&P Director. A written explanation is entered into the applicant's adoption home record.

- Adjustment to the Community - Applicants who are ostracized by or alienated from the community in which they live because of unusual behavior or patterns of living are not considered good prospects for

adoptive parenting. The child's association with the family could subject the child to a similar rejection by the community. This could seriously affect the child's adjustment to both the home and the community and affect the child's own personal development. Information pertaining to this standard is usually obtained from the references or other reports made to CP&P concerning the applicants.

- Standard of Living - Standards of living for the adoptive home should generally conform to the standards for the community in which the prospective adoptive parents reside. These standards must be sufficient to ensure a degree of comfort that provides for the well-being of the family and its self-respect in the community.
- Social Relationships and Support Systems - Relationships with friends, outside contacts, and other family members are considered along with the availability of support systems in determining the suitability of the applicants.

Parenting Abilities

All adoptive applicants must demonstrate the ability to parent a child effectively.

An assessment of the prospective adoptive parent should reflect:

- appropriate motivation for taking a child into the home. An adoptive parent should be motivated primarily by a willingness and desire to meet the needs and interests of the child to be placed in the home.
- Secondary motives, such as compensation for the loss of a child, a desire to complement family composition, or an expectation of gaining social recognition or economic benefit, are taken into consideration in the assessment of the prospective adoptive parents;
 - a positive and loving relationship with children already in the household and reasonable expectations of them;
 - a willingness and capacity to absorb an adoptive child into family life functioning without undue disruption;
 - a positive attitude of the applicant's own children toward accepting an adopted child;
 - an ability to accept and love an adopted child despite the child's possible limitations and problems;
 - a realistic understanding of the positive and negative aspects of adoptive parenthood;
 - a willingness to work through problems and difficult behavior with a child;
 - an ability to give, without inappropriate expectations placed upon a child;

- a flexibility to meet an adopted child's changing needs as he matures and develops;
- an ability and willingness to discuss a child's adoption with him openly, and to share background information regarding his birth family;
- an ability and willingness to accept the child's questions about his birth family and to promote positive feelings about them; and
- an ability to use community resources on behalf of an adopted child.

Child Care

CP&P assesses carefully the applicant's skills in providing care to children.

- Health Care - An adoptive applicant must possess reasonable knowledge of a child's basic nutritional and health needs and be able to provide for them. He must understand the importance of annual medical and dental checkups and disease prevention for the child. An adoptive applicant must agree, regardless of personal religious beliefs, to provide for the child's routine and emergency health needs. See the section on religion which follows.
- Discipline - An adoptive applicant must demonstrate an understanding of the principles of constructive discipline including the differences between discipline and punishment and the presumption that the most effective discipline is fair, reasonable, consistent, flexible, and appropriate to the behavior displayed; and based on an understanding of the individual child's needs and stage of development. Corporal punishment is defined as any type of physical punishment. Adoptive parents may not use corporal punishment with adoptive children prior to finalization. Adoptive parents may not use corporal punishment with foster children in placement who are under the Division's direct supervision. An adoptive applicant must agree to abide by this policy.

In addition, it is the expectation of the Division that methods of discipline other than corporal punishment will be used after finalization.

- Religion - An adoptive applicant may be of any religion or may not practice religion. An applicant practicing a religion that does not permit standard medical care must agree to follow the CP&P medical plan for the child and must agree not to obstruct any routine or emergency medical care that the child may require.

- Education - Adoptive applicants shall demonstrate understanding of their responsibility to enroll the adopted child in school and to ensure that the child attends regularly according to school regulations. Adoptive applicants should encourage good study habits, be involved with the child's academic progress, attend school conferences, and meet with teachers when there are problems or for periodic reviews. Home teaching (schooling) is not permitted for a child in a selected adoptive home placement. See [CP&P-VII-A-1-100](#).
- Recreation - Adoptive applicants should demonstrate understanding of their responsibility to support and encourage the child to engage in recreational and social activities appropriate to the age and abilities of the child.
- Transportation - Adoptive applicants must be willing and able to provide or arrange for transportation to enable the child to receive necessary education, medical and psychological care, recreation, social services or to participate in religious services.
- Employment/Child Care Arrangements - Adoptive parents may be employed. If a single adoptive parent is, or both adoptive parents are, employed outside the home, they should have work schedules that allow them to be available during the hours an adoptive child requires supervision and care. When an adoptive parent is not available to provide care because of employment, it is the adoptive parent's responsibility to make other appropriate child care arrangements.
- Sleeping Arrangements - Each child must be provided his own bed, along with space for his personal possessions. In the case of siblings of the same sex, if individual beds are not available, to allow for placement in the same home, they may share a double bed. Preferably no more than two children will share the same sleeping room. Discretion may be exercised depending on the size of the room, the ages and sex of the children and their individual needs. Children of the opposite sex who are more than five years old are not permitted to sleep in the same room.

No children in the household, more than two years of age, are permitted to share sleeping quarters with adults in the household, except during periods of illness of the child or in temporary emergencies.

Adoptive Parent's Ability to Work with CP&P

Adoptive parents must be willing to develop and maintain an active working relationship with CP&P and its representatives. A prospective adoptive parent must demonstrate reasonable and mature attitudes toward outside authority or

professional figures and institutions, particularly those he comes in contact with as a result of adoptive parenting.

An adoptive parent applicant must also demonstrate an ability and willingness to:

- cooperate and work constructively with the Worker and other appropriate staff in developing and implementing plans for the child;
- request consultation and advice regarding the child, when needed;
- assist CP&P in keeping and reviewing a Life Book for the child;
- use training and related opportunities effectively to improve adoptive parenting skills prior to finalized adoption;
- participate in any necessary and recommended activities, such as counseling, therapy, or court appearances, as required;
- notify CP&P of any changes in address, phone number, living situation or persons residing in the household prior to finalized adoption;
- comply with the established system for receipt of subsidy payments, if appropriate; and
- comply with CP&P policies which pertain to adoption.

Life Safety Factors of the Adoptive Home

All indoor and outdoor areas of the home must be maintained in a safe and sanitary manner. There must be no evidence or indication of physical conditions that could result in disease or other health and safety hazards.

The following areas of the home must be specifically assessed for sanitary and safety conditions:

- basement, attic, and other areas which are or may be accessible to children;
- kitchen and eating areas;
- bathrooms;
- living room, den, family room;
- bedrooms;
- halls, stairways;
- porches, patios, balconies;
- other living areas in the home;
- out buildings; and
- grounds.

When basements and attics are used for bedroom occupancy, they must be in compliance with all standards for indoor sanitation and safety and in addition the following requirements must be met:

- there must be two or more independent means of exit, one of which is an operable window or door leading directly outside and suitable for emergency escape or rescue;
- walls, ceilings, and floors must be finished;
- there must be a minimum of one window per room which can be opened for ventilation; and
- the room must have an area of no less than 70 square feet with at least one dimension no less than 7 feet. The room shall have a height of no less than seven feet.

The standards for indoor sanitation are in the following areas:

- A. Insects and Rodents - There must be no visible evidence of insect or rodent infestation.
- B. Plumbing and Sewerage - Major plumbing, drains, and sewer lines must be operable. Hot and cold running water must be available.
- C. Garbage - Garbage must be kept in appropriate receptacles, with organic garbage kept covered. Garbage removal and storage must not present a health risk.
- D. Pets - Indoor pets shall not present a health risk or danger to children. Cats which go outside and dogs must be vaccinated against rabies.

The standards for indoor safety are in the following areas:

- E. Fire Safety - The home shall have at least one smoke detector on each floor, an operable five-pound ABC fire extinguisher and an unobstructed means of exit in case of fire.

Combustible and flammable materials shall not be stored adjacent to or near a furnace or other heat source and are not accumulated in attics, basements or other parts of the residence in an unsafe manner.

- F. Emergencies - A well-equipped first aid kit must be readily accessible. Emergency telephone numbers must be accessible.
- G. Lighting and Electrical Safety - Lighting must be sufficient to prevent accidents. There must be no observable electrical hazards.
- H. Condition of Appliances - The home must have a stove and refrigerator which are clean and in working order.
- I. Dangerous Implements/Substances - Firearms, other weapons and potentially dangerous implements must be stored in a locked area out of the reach of children. Poisons, drugs, and dangerous cleaning

supplies are labeled and stored out of the reach of children.

- J. Temperature and Ventilation - Windows in living and sleeping areas must be intact and allow for adequate ventilation. Doors and windows used for ventilation must have screening. The temperature in the living areas must not jeopardize the health of a child.
- K. Paint - Paint on interior surfaces must not be flaking, peeling or chipped, particularly for homes built prior to 1960 because of the danger of lead paint poisoning.
- L. Indoor Maintenance - The home must be generally clean, in good repair and reasonably free of clutter which would present a hazard.
- M. Other Accident Safeguards - Other areas or equipment which are a high risk for accidents are safeguarded.

The standards for outdoor sanitation are in the following areas:

- N. Garbage - The home must have covered garbage receptacles for waste disposal to prevent the waste from becoming a health hazard.
- O. Insects and Rodents - The exterior of the residence must provide protection against infestation from rodents, insects, etc.
- P. Standing Water - The land, including the outdoor play area, must be free of standing surface water.
- Q. Pets/Domestic Animals - Outdoor play areas must be free from accumulated animal droppings.

The standards for outdoor safety are in the following areas:

- R. Fire Safety - Combustible or flammable materials must be stored in ventilated areas away from any heat source.
- S. Paint (Exterior) - Paint on exterior surfaces which are accessible to children must not be flaking, peeling or chipped, particularly for homes built prior to 1960 because of the danger of lead paint poisoning.
- T. Maintenance - The exterior of the residence must be generally free of hazards and clutter. Entranceways and stairways must be lighted. Stairways, balconies, landings, and porches must be maintained to minimize the possibility of tripping or falling.

- U. Other Accident Safeguards - Other outdoor areas and equipment which are a high risk for accidents must be safeguarded.

Life Safety Violations

Placement of a child in a home is permitted before the abatement of minor hazards, provided that the adoptive parents can offer reasonable assurance that interim measures to ensure safety will be taken and that hazards will be corrected within 30 days of notification of the violations. Serious and imminently hazardous violations must be corrected and abated before the home is used for an adoption placement. Serious and imminently hazardous violations might include but are not limited to broken windows or doors, exposed wires, or non-functioning utilities.